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Telephone: (919) 484-2300
Fax: (919) 484-2340
Web Site: www.wcsr.com

David S. Bradin
Direct Dial: (919) 484-2382
Direct Fax: (919) 484-2084
E-mail: dbradin@wcsr.com

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RTP 56188v2

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P. 02

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
Dull et al.) Docket Number: T103 1401.1
U.S. Serial Number: 09/845,526) Examiner: V. Balasubramanian
Filing Date: April 30, 2001) Art Unit: 1624
Title: PHARMACEUTICAL COMPOSITIONS AND METHODS FOR USE

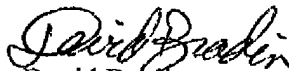
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Sir:

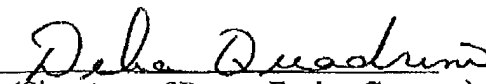
I hereby certify that this document and all documents referred to as being attached herein are being facsimile transmitted to the USPTO on even date herewith.

Response to Office Action
Amendment
Two month extension of time
Notice of Appeal


David Bradin
Reg. No. 37,783

12/2/03
Date

Debra Quadrino
(Printed Name of Person Faxing Corresp.)


(Signature of Person Faxing Corresp.)

RTP 76546v1

DEC 02 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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IN RE APPLICATION OF:

Dull et al.)	
Serial No: 09/845,526)	Art Unit: 1624
Filed: April 30, 2001)	Examiner: V. Balasubramanian
For: PHARMACEUTICAL)	Docket No.: T103 1401.1
COMPOSITIONS AND)	
METHODS FOR USE)	

NOTICE OF APPEAL

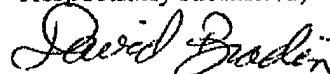
Box AF
Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board from the Examiner's decision mailed on July 2, 2003. An Amendment and a Petition for a Two Month Extension of Time, to and including December 2, 2003, is also enclosed. This Notice of Appeal is being filed in an abundance of caution, concurrently with an Amendment (the content of which was discussed with the Examiner in a telephonic interview held on December 1, 2003) that is believed to obviate all outstanding rejections. Applicants believe a Notice of Allowance will follow entry of the Amendment, in which case the need for Appeal will be obviated.

Please charge Deposit Account No. 09-0528 for the Notice of Appeal Fee of \$330.00. The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 09-0528.

Respectfully submitted,



David S. Bradin
Reg. No. 37,783
Attorney for Applicant

Date: December 2, 2003
Telephone: (919) 484-2382

Womble Carlyle Sandridge & Rice, PLLC
P.O. Box 7037
Atlanta, Georgia 30357-0037

RTP 76547v1